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March 1, 2019

Via fax 973-239-3400

Joshua A. Zielinski, Esq.
O'Toole Scrivo
14 Village Park Road
Cedar Grove, NJ 07009

Re: **NJDEP v. Joseph Wallace**
Docket No.: SSX-C-7-19

Dear Mr. Zielinski:

As you know I represent Joseph Wallace in the matter with the Sussex County Soil Conservation District. I also have been retained to represent Mr. Wallace in the above matter. Be advised, Judge Maritza-Byrne sitting in the Chancery Division in Morris County denied the NJDEP's application for immediate injunctions. In her ruling, she determined the state had failed to meet its burden to prove by clear and convincing evidence the state tested soil from Mr. Wallace's property. As such, the state's application was denied.

On another note, Vernon Township officials have interpreted the scope of last Friday's ruling far too broadly based upon press accounts. Mr. Wallace is not permitted, per the stop work order to bring soil onto his property and he hasn't for quite some time. The Vernon Township police, unless trucks coming to Mr. Wallace's property are carrying soil, are to in no way, stop, molest, badger, harass, or otherwise interfere with delivery drivers making deliveries of non-excluded materials to Mr. Wallace's property.

Joshua Zielinski, Esq.
Re: Wallace – Silver Spruce Drive
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Please advise your clients accordingly.

Very truly yours,

PATTI & PATTI, LLC

By: /s/ JEFFREY M. PATTI

JMP/

cc: Chief Randy Mills
973-764-2518
Mr. Joseph Wallace